

Special Restriction
Temporary Area Closure ~ Myrtle Fire
USDA - FOREST SERVICE
BLACK HILLS NATIONAL FOREST

Pursuant to 16 U.S.C § 551 and 36 C.F.R § 261.50 (a) and (b), the following acts are prohibited within the Black Hills National Forest located in Fall River and Custer County, South Dakota on National Forest System Lands in the area east and southeast of Pringle, South Dakota (the "Restricted Area") and as shown on the attached map which is incorporated into this Order as Appendix A and on all Forest Service roads located within the Restricted Area. This order is needed to provide for public health and safety by limiting nonessential use by the public during the Myrtle wildfire activities.

PROHIBITIONS ON THE RESTRICTED AREA, ROADS, AND TRAILS:

- (1) Going into or being upon the Restricted Area, 36 C.F.R. § 261.53(e).
- (2) Being on the Restricted Roads, 36 C.F.R. § 261.54(e).

Pursuant to 36 C.F.R § 261.50(e), the following are EXEMPT from the order:

1. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State or local officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.
3. Persons traveling to and from their primary residence located within the restricted area.

This Order takes effect immediately and shall be in effect until December 31, 2012 or until rescinded, whichever event occurs first.

Done at Custer, South Dakota, this 20th day of July, 2012


/s/ Craig Bobzien
CRAIG BOBZIEN
Forest Supervisor

Violations of this prohibition are punishable by imprisonment for not more than six (6) months, a fine of not more than \$5,000 or both. *Title 16, United States Code, Section 551, Title 18, United States Code, Section 3571.*

Management Objectives
Order Number BKF-2012-122

(Include narrative statement of the management objectives associated with this Special Order).

This Order is needed to provide safety to the public during the Myrtle wildfire.



SUBPART B

ORDER REQUEST JUSTIFICATION FORM
ORDER NUMBER: BKF-2012-122

SUBMIT THE FOLLOWING INFORMATION:

STATE THE DESIRED ACT: Being in the Restricted Area during the Myrtle Fire. 36 C.F.R. § 261.53(e).

1. REASON FOR THE ORDER: Public safety.
2. HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? (N)
 - DESCRIBE: Forest Service employees will monitor the closure area and check access points for signage.
3. PERIOD OF TIME THE ORDER WILL BE IN EFFECT: From July 20th until the fire is out.
4. LIST THOSE EXEMPT FROM THE ORDER:
 1. **Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.**
 2. **Any Federal, State or local officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.**
5. HAS AN ENFORCEMENT PLAN AND SIGN PLAN BEEN ESTABLISHED? (Y)
 - a. WHO WILL ENFORCE THE ORDER? . LEO's and FPO's
 - b. WHO WILL ENSURE PROPER SIGNING? Forest Service employees.
6. WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT? (N). This is a temporary order.
7. HAS THE PUBLIC BEEN NOTIFIED? (Y)
 - c. DESCRIBE HOW: The public will be notified through a media release and barricades, and signing at the entrance points of the trail.

8. COMPLETE THE ORDER USING THIS CHECKLIST.

When complete, forward the original request to the Supervisor's Office, Attention: Supervisory Law Enforcement Officer. The request will be routed to the appropriate Staff Officer, Public Information Officer, and Forest Supervisor.

Recommended: Jared Hohn (Not available for signature)

District Specialist, Fire Management Officer

Date

Reviewed: N/A

District Ranger, Bearlodge

Date

Reviewed: /s/ Lynn Kolund

District Ranger, Hell Canyon

July 20, 2012

Date

Reviewed: N/A

Acting District Ranger, Mystic

Date

Reviewed: N/A

District Ranger, Northern Hills (Rhonda L. O'Byrne)

Date

Reviewed: Eric Nelson (Not available for signature)

South Zone Law Enforcement Officer

Date

Reviewed: N/A

North Zone Law Enforcement Officer (TJ Friend)

Date

Reviewed: Nancy Martinz (Not available for signature)

North Zone Patrol Captain (Nancy Martinz)

Date

Reviewed: Thomas Japhet (Not available for signature)

Office of General Counsel (Thomas Japhet)

Date

Reviewed: Pam Wilhelm (Not available for signature)

Public Information Officer (Pam Wilhelm)

Date

Reviewed: Todd Pechota (Not available for signature)

Forest Staff Officer

Date